

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 28, 1946

10:35 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

Roll Call

Present: Councilmen Alford, Bartholomew, Mayor Miller, Councilman Wolf

Absent: Councilman Gillis

Present also: Guiton Morgan, City Manager; Trueman O'Quinn, City Attorney; J. E. Motheral, Director of Public Works; Jas. A. Garrison, Director of Safety; and R. D. Thorp, Chief of Police.

Pursuant to public notice given in the local newspaper, the proposal of the City Council to amend the Zoning Ordinance in the following particulars came up for public hearing:

- (1) To amend the USE designation of the following described property so as to change the same from "A" Residence District and First Height and Area District to "B" Residence District and Second Height and Area District, to wit:

Lots 1, 2 and 3, Block 2, Outlot 44, Division "D", City of Austin, Travis County, Texas, being property fronting approximately 210 feet on the northwest corner of 24th Street at Leon street.

- (2) To amend the USE designation of the following described property so as to change the same from "C" Commercial District and "C-1" Commercial District and Second Height and Area District to "C-2" Commercial District and Second Height and Area District, to wit:

Lots 1, 2, 7 and 8, in Block 118; Lots 3, 4, 5 and 6, in Block 119; Lots 3, 4, 5 and 6 in Block 139; Lots 1, 2, 7 and 8 in Block 140, all in the Original City of Austin, Travis County, Texas, and being all of the property on both sides of Red River Street, between 10th Street and 12th Street.

There being no one present to protest the change in the zoning of the property owned by Adele Henderson and located at the northwest corner of 24th Street, at Leon street, from "A" Residence, First Height and Area District, to "B" Residence, Second Height and Area District, Councilman Wolf moved that the recommendation of the Zoning Board of Adjustment be sustained and such change made, and the motion prevailed by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
Absent: Councilman Gillis
Noes: None

The City attorney was instructed to prepare an ordinance covering this change and present same to the Council as soon as possible.

The following property owners were present and protested the change proposed in the second part of the notice, viz: To change the use designation from "C" Commercial, and "C-1" Commercial, Second Height and Area District, to "C-2" Commercial, Second Height and Area District of the property on both sides of Red River Street, between 10th Street and 12th street:

Mrs. J. A. Harrell, 500 East 11th street, Miss Mary Rogers, 508 East 11th street, and Mrs. John Simpson, 506 East 11th street. Mrs. Stevenson, representing the Council of Church Agencies, and the pastor of the Mexican Methodist Church, 9th and East Avenue, also appeared in protest to this change.

Mr. John Reed, attorney for the applicant, Mrs. Maude Kingsbery, and Mr. Wm. Yelderman, attorney for the applicants, H. Yerger and Jake Silberstein, and Mr. Jake Silberstein appeared to plead for the change.

All parties present were heard, and after a rather lengthy discussion of the matter, pro and con, Councilman Wolf moved that the recommendation of the Zoning Board of Adjustment be NOT sustained and that the change be NOT granted. The motion was seconded and prevailed by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
Noes: None
Absent: Councilman Gillis

Joseph Ramsey Johnston appeared before the Council and asked that his taxicab operator's license be reinstated as he had a man, who had a Driver's License, to drive the car for him and this was the only way he had of making a living for himself and family. The Council said they would do this, but that he would not be given a taxicab driver's permit until he got his State Driver's License reinstated and the Chief of Police's recommendation that he be given a City taxicab driver's permit.

Referred the request of Harry Pruett and B. H. Bloor for a change in the zoning of a tract of land in Timber Lake Addition containing 181.83 feet on Hearn street, between 7th and Hearn streets, 141.18 feet on West 7th street, and 140.85 feet on Pruett street, from "A" Residence to "C" Commercial, to the Zoning Board of Adjustment for their consideration and recommendation.

Referred the request of John H. Sharp and C. N. Avery, et al, for a change in the zoning of Lots 4, 5 and 6, Block 135, lying between Lavaca and Colorado streets and West 12th street and the alley immediately north of West 11th street, from "B" Residence to "C" Commercial, to the Zoning Board of Adjustment for their consideration and recommendation.

Set the public hearing on the zoning change requested by H. M. Houston, President of the John Bremond Company, of the property located between 28th and 29th streets, Nueces and the alley immediately west of Nueces street, for April 18, 1946, at 11 A. M.

Councilman Alford moved that the taxicab operator's license and the

taxicab driver's permit of James William Cooper, 1108 Nueces street, be revoked, because of his very bad traffic record and upon the recommendation of the Chief of Police and City Attorney, and the City Manager. The motion was seconded and prevailed by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
 Noes: None
 Absent: Councilman Gillis

Councilman Wolf moved that the taxicab driver's permit of Emmett Brinkley, 84 Waller street, be revoked because of his very bad traffic record and upon the recommendation of the Chief of Police, City Attorney and City Manager. The motion was seconded and prevailed by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
 Noes: None
 Absent: Councilman Gillis

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN ORDINANCE BOOK "I", PAGES 301-318, BOTH INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY ENACTED CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON A PORTION OF A 4.139 ACRE TRACT OUT OF OUTLOT 17, DIVISION "C", AND ALSO A .4709 ACRE TRACT OUT OF OUTLOT 18, DIVISION "C", BOTH IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BOTH LOCATED AT THE INTERSECTION OF EAST 45 STREET AND AIRPORT BOULEVARD; AND ORDERING A CHANGE IN THE USE MAPS, SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Bartholomew moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
 Noes: None
 Absent: Councilman Gillis

The ordinance was read the second time and Councilman Bartholomew moved that the rule be suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
 Noes: None
 Absent: Councilman Gillis

The ordinance was read the third time and Councilman Bartholomew moved

that the ordinance be finally passed. The motion carried by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
Noes: None
Absent: Councilman Gillis

The Mayor then announced that the ordinance had been finally passed.

Councilman Wolf introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: " AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING ARTICLE III, SECTION 12(b) OF SAID ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Wolf moved that the rule be suspended and the ordinance passed to its second reading. The motion carried by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
Noes: None
Absent: Councilman Gillis

The ordinance was read the second time and Councilman Wolf moved that the rule be suspended and the ordinance passed to its third reading. The motion carried by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
Noes: None
Absent: Councilman Gillis

The ordinance was read the third time and Councilman Wolf moved that the rule be suspended and the ordinance be finally passed. The motion carried by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
Noes: None
Absent: Councilman Gillis

The Mayor then announced that the ordinance had been finally passed.

Councilman Alford offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were requested from certain duly qualified local contractors for the construction of a 15" sanitary sewer along the north bank of

the Colorado River from Schulle Branch to the City of Austin property at Tom Miller Dam; and

WHEREAS, bids received in response to such request were publicly opened and read on the 22nd day of March, 1946; and

WHEREAS, it was found that the bid of Karl B. Wagner in the amount of \$7662.50 was the lowest and best bid submitted, and that said bid was regular and proper in all particulars; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

THAT the said bid of Karl B. Wagner in the amount of \$7662.50 be and the same is accepted, and the City Manager, in behalf of the City of Austin, is authorized and instructed to enter into a contract with the said Karl B. Wagner for the construction of said sanitary sewer.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
 Noes: None
 Absent: Councilman Gillis

Councilman Wolf submitted the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Drs. J. L. Love, W. H. Van de Grift, J. B. Donovan and E. C. Baum, have applied in writing for permission to erect and maintain a clinic and hospital for the treatment of medical and surgical cases for human beings only, on Lots 1, 2, 3 and 4, in Block E, Shelley Heights "B", a subdivision located in the City of Austin, Travis County, Texas, the same being on the east side of Elm Street and is locally known as 1201-07 Elm Street, and is located in a "B" Residence District which requires a special permit from the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission for the erection and maintenance of a clinic and hospital for the treatment of medical and surgical cases for human beings only be granted to Drs. J. L. Love, W. H. Van de Grift, J. B. Donovan and E. C. Baum, with the following conditions:

1. That this clinic and hospital be used in the treatment of medical and surgical cases and that no mental or psychiatric patients be housed in such clinic and hospital.
2. That all setback regulations required in this zone and all building code provisions be complied with in the erection of such building.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
 Noes: None
 Absent: Councilman Gillis

Councilman Bartholomew submitted the following application together with a resolution covering same and moved the adoption of the resolution:

"Austin, Texas
March 22, 1946

Honorable Tom Miller
Mayor of the City of Austin
Austin, Texas

Dear Mr. Mayor:

Your permission, as well as the permission of the City Council, to construct a Service Station and Parts Building on my property at Fifth and Lamar Boulevard will be greatly appreciated.

Sincerely yours,

/ s / H. L. Constant."

"Austin, Texas
March 27, 1946

Mr. Gulton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of the Constant Service Company, acting by and through H. L. Constant, for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith, upon property located at the northwest intersection of West 5th Street and Lamar Boulevard, which property fronts 122 feet on Lamar Boulevard and 160 feet on West 5th Street, and is known as a portion of Lots 9, 10, 11 and 12, Block 2 of Raymond Plateau Subdivision in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by H. L. Constant, and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

A storm sewer inlet exists on the north side of West 5th Street at the west property line of Lamar Boulevard and a storm sewer inlet exists on the west side of Lamar Boulevard at the north line of West 5th Street.

We recommend that the Constant Service Company, acting by and through H. L. Constant, be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the ad-

jacent streets before he starts any construction relative to the filling station.

(2) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of Underwriters Laboratories, Inc., that all construction of filling station improvements shall be in accord with the building ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer. Before commencement of any construction the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-H-822.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-822 and shall be of pre-moulded tyle.

(6) That before use of said station the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

/s/

J. E. Motheral

Dir. Dept. of Public Works

J. C. Eckert

Building Inspector."

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property situated at the northwest intersection of West 5th Street and Lamar Boulevard, which property is owned H. L. Constant and fronts 122 feet on Lamar Boulevard and 160 feet on West 5th Street and is designated as a portion of Lots 9, 10, 11, and 12, Block 2 of Raymond Plateau Subdivision in the City of Austin, Travis County, Texas, and hereby authorizes the Constant Service Company, acting by and through H. L. Constant, to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans, and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations

and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations, and the right of revocation is retained if, after hearing, it is found by the City Council that the said Constant Service Company have failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf

Noes: None

Absent: Councilman Gillis

Councilman Wolf offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. M. Odom is the Contractor for the erection of a building located at 1005-07-09 West 6th Street and desires a portion of the sidewalk and street space abutting on Lots 1, 2, 3 and 4, Block 2, in Division "Z", of the City of Austin, Travis County, Texas, during the erection of the building, such space to be used in the work and for the storage of materials therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said J. M. Odom, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northeast corner of the above described property; thence in a northerly direction and at right angles to the centerline of West 6th Street to a point 12 feet north of the south curb line; thence in a westerly direction and parallel with the centerline of West 6th Street approximately 196 feet to a point; thence in a southerly direction and at right angles to the centerline of West 6th Street to the northwest corner of the above described property.

Beginning at the northwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of Baylor Street to a point 10 feet west of the east curb line; thence in a southerly direction and parallel with the centerline of Baylor Street approximately 112 feet to a point; thence in an easterly direction and at right angles to the centerline of Baylor Street to the west line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said J. M. Odom, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within

the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than November 1, 1946.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the ex-

ercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
 Noes: None
 Absent: Councilman Gillis

The following taxicab operator's licenses, duly approved by the City Manager, were submitted:

Alexander, Jr. John A. 1190 $\frac{1}{2}$ Angelina street
 1940 Studebaker Sedan, Motor #4155952, License FV 4617
 Hill, Almus Henry 1104 East 12th st.
 1941 Tudor Ford, Motor #18-6601443, License FV 373
 and
 1942 Tudor Ford, Motor #D 30522, License FV 708
 and
 1942 Tudor Ford, Motor #Z8-6777622, License FV 372
 Jamison, Willis E. Route 3, Box 347, Austin
 4-door, 1940 Ford, Motor #5823600, License DB 73-48
 Mayfield, John R. Court 2, Apt. 7, Rosewood Project
 1939, 2-door Chevrolet, Motor #2155304, License EB 1134
 Mooney, Milton Ernest 2000 Rosewood
 1941 Tudor Ford, Motor #186000921, License EL 344
 Pendergrass, Herbert 2105 East 13th st.
 1941 4-door Chevrolet Sedan, Motor #AY-732349, Lic. AN 5633

Councilman Wolf moved that the above licenses be granted and the same prevailed by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
 Noes: None
 Absent: Councilman Gillis

Councilman Bartholomew moved that upon the recommendation of The Chief of Police, City Attorney and City Manager, the taxicab operator's license and taxicab driver's permit of James William Cooper, 1108 Nueces street, be revoked. The motion was seconded and carried by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
 Noes: None
 Absent: Councilman Gillis

Councilman Wolf moved that upon the recommendation of the Chief of Police, City Attorney and City Manager, the taxicab driver's permit be revoked. The motion was seconded and carried by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
 Noes: None
 Absent: Councilman Gillis

The following boat license applications, duly approved, were submitted:

Leslie Eads, 3004 Kuhlman, private boat, 1941 Runabout
 Commercial boats:
 William L. Gregory, Lake Austin Boat Docks
 8 passenger, Criscraft
 Bennett Boat Docks, Lake Austin Boulevard
 6 Homade Inboard boats; 8 canoes
 6 Rowboats, 4 Homade Sailboats
 1 Richardson Cruiser, 20 passenger boat
 1 Homade Inboard boat
 1 Century Inboard, 8 passenger boat

Councilman Wolf moved that the boat license applications be granted and the motion, duly seconded, carried by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
 Noes: None
 Absent: Councilman Gillis

The City Manager stated that the Lighthouse for the Blind wishes to purchase a lot owned by the City of Austin and located at the corner of 32nd and San Gabriel streets and to use same for their workshop. A tentative agreement was made for the sale of this property, at a price of \$2100, subject to having same rezoned as "C" Commercial and the City to retain 10 feet off this lot for street purposes. The City Manager was instructed to refer the request for the changing of the zone of this property, "A" Residence to "C" Commercial, to the Zoning Board of Adjustment for their consideration and recommendation.

Councilman Bartholomew moved that in order to have the zoning of the property which the Lighthouse for the Blind wishes to buy changed as soon as possible, the public hearing by the Council on this matter be set for April 18, 1946, at 11 A. M. The motion was seconded and prevailed by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
 Noes: None
 Absent: Councilman Gillis

Councilman Alford moved that the taxpayers be given 3 days of grace on the payment of City taxes and that the interest and penalty date start with April 4, 1946. The motion was seconded and prevailed by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
 Noes: None
 Absent: Councilman Gillis

Mayor Miller introduced the following ordinance:

DEFINING NUISANCE PERSONAL PROPERTY BUT
 EXCEPTING HEREFROM LIVESTOCK, FOWLS AND
 DOGS; DIRECTING REMOVAL AND IMPOUNDING OF
 SAME WHEN FOUND IN PUBLIC PLACES; REDEMPTION
 BEFORE AND AFTER SALE; NOTICES OF
 SALE, POSTING AND SALE; CHARGES COLLECTIBLE
 BY CITY AND DISPOSITION OF PROCEEDS;
 KEEPING RECORDS HEREUNDER; VESTING ABSOLUTE
 TITLE IN AUCTION BUYER THIRTY (30)
 DAYS AFTER SALE WHEN NO REDEMPTION ;

BILLS OF SALE; DEFINING JUNK, DIRECTING ITS
SALE AND DISPOSING OF PROCEEDS THEREOF; PRO-
VIDING A SAVING CLAUSE, AND DECLARING AN EMER-
GENCY.

Mayor Miller moved that the ordinance be read the first time and passed to the second reading, and the motion prevailed by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
Noes: None
Absent: Councilman Gillis

Councilman Wolf offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, delinquent taxes, on personal property, have been paid to the Tax Collector of the City of Austin by the following named parties for the years and in the amounts set opposite the name of each of them, viz:

<u>Name</u>	<u>Year</u>	<u>Amount Collected</u>
Harold G. Campbell	1934 & 1940 thru 1944	\$ 30.43
D. T. Lamme, Jr.	1939 thru 1941	12.94
Edward Nassour	1939 & 1941	4.59
Dan W. Johnson	1940	2.06
R. F. Clark	1941, 1942, 1944	9.56
Jessie Hodge	1944	1.09
Clarice Abramson	1944	5.80
Roy Eanes	1944	.25
Barnes Hoff	1944	10.03
H. N. Polk	1944	.13
Frederick Romberg	1942, 1943, 1944	25.06
William J. Tucker	1944	9.07
Nolan Sims	1936 thru 1941	36.01
Roy Allen Fair	1939, 1940, 1943	8.83
James B. Stafford	1944	4.59
T. P. Beverly	1943	5.12
Edgar A. Philquist	1944	.77
John Henry Steinle, Jr.	1944	6.28
Francis W. Wood	1940 thru 1943	18.51
Sampson Jones	1942 & 1944	4.34
Edith Haller	1941 thru 1943	1.27
H. L. Ault	1944	.30
Alpha Tau Omega	1944	4.84
Louise Coker	1944	2.42
Leonard Karotkin	1939, 40, 42, 43 & 44	61.63
A. W. Harris	1940, 1941, 1944	14.41
R. E. Jamison	1940 thru 1944	30.41
Grady L. Murphy	1940, 42, 43, 44	1.13
Walt Paulissen	1940 & 1941	8.45
F. M. Oakley	1941 & 1942	20.36
A. J. Randle	1921 & 1942	3.54
Ella Mae Campbell	1943 & 1944	5.10
E. L. Laundelius	1944	.72
W. P. Urban	1943	7.55
T. R. Hornberger	1944	4.96
L. K. Hightower	1938	.68

Arthur Purcell	1939	\$.27
Erwin W. Massey	1943	1.46
Bess Heflin	1944	8.35
W. L. Hennings	1944	.25
National Life Ins. Co.	1944	7.27

WHEREAS, all of said payments constitute a final settlement of personal taxes due for the years indicated; Now, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Tax Assessor and Collector of the City of Austin be, and he is hereby, authorized to record full payment on all delinquent personal property taxes against said parties and their property for the years for which said tax was assessed.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes: Councilmen Alford, Bartholomew, Mayor Miller and Councilman Wolf
Noes: None
Absent: Councilman Gillis

There being no further business, upon motion made and seconded, the meeting was recessed, subject to the call of the Mayor, at 12:10 o'clock.

APPROVED

Tom Miller

Mayor

ATTEST:

Helene K. Busch
Acting City Clerk